

FEDERAL DEFENDER SERVICES OF WISCONSIN, INC.

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December 4, 2020

Honorable Stephen L. Crocker,
United States Magistrate Judge
120 North Henry Street
Madison, Wisconsin 53703

Re: *United States v. Daniel Peggs*
Case No. 20-cr-20-jdp

To the Honorable Stephen L. Crocker:

The defense respectfully requests that the Court set a status conference in ninety days. As noted in previous filings, there is an overwhelming amount of discovery to work through. The parties met in September and devised a plan to get all the remaining discovery together and organized for the defense's review. *See* R.30.

At the time, we anticipated a batch of discovery being turned over in mid-October—possibly another 20,000 pages, including interviews. To be fair, when we left the meeting these were just very rough numbers. This newest batch was turned over about two weeks ago, and it contains an additional 120,000 pages of discovery—bringing the total discovery to 169,000 pages. That number does not, however, include the native documents and witness interviews, which are (in themselves) voluminous.

The defense has fully digested the first 44,000 pages of discovery, but this last batch will take some time to get through. There are clearly chunks that can be ignored; but even cutting it down by 30,000 pages this has become the biggest case (in terms of pure discovery) that I have ever handled.

Beyond the sheer volume and time it takes to read it all, there is the difficulty of organizing and categorizing it. In this case, it's particularly difficult because of the

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number of devices involved. It is a maddening process. And we have been working on that front with AUSA Pfluger and her paralegal, and they have been very helpful. Still, it's a long and laborious process. Being prepared for the case's next steps – making sure everything is keyed up for motions – is going to take some time.

I do, however, want to be clear: the defense has not been sitting idle. From the first 40,000 pages of discovery, the defense has a fair amount of motions in mind. But addressing them in piecemeal fashion could be a waste – at least until the defense has a clear idea of the universe of facts and potential motions that it intends to file.

Thus, the defense respectfully requests that the Court set a status conference in 90 days. In that time, the defense hopes to have worked through the new discovery and have an accurate idea of when things can get moving towards trial. I have spoken to AUSA Pfluger about this and she has no objection to this request.

Thank you for your attention to this matter.

Sincerely,

/s/ Joseph A. Bugni

Joseph A. Bugni
Associate Federal Defender